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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/247,874
Filing Date	02/10/99
Examiner Name	R. Schnizer
First Named Inventor	Duff
Group Art Unit	1632
Attorney Docket Number	MSA-4.01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$ 370.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

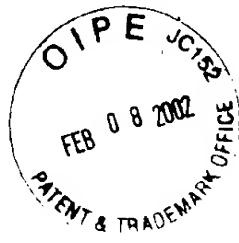
Name (Print /Type)	John D. Quisel	Registration No. (Attorney/Agent)	47,874
Signature		Date	January 3, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print /Type)	Kristen Willett
Signature	

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PATENT
Attorney Docket No. MSA-4.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duff et al.
Application No.: 09/247,874
Filed: February 10, 1999
For: *Therapeutics and Methods for Treating Disease States Using a Novel IL-1B Receptor Antagonist*
Customer Number: 25181

Art Unit: 1632

Examiner:
Schnizer, R.

Customer Number: 25181

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231 on January 3, 2002.

Kristen Willett

Signed: Kristen Willett

BOX RCE
Commissioner for Patents
Washington, DC 20231

RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Dear Sir:

In response to the Notice of Allowance and Examiner's Amendment dated Oct. 3, 2001, Applicants submit the following amendments and remarks. A Request for Continued Examination is filed herewith under 37 C.F.R. § 1.114 generally, and particularly § 1.114(a)(1). In addition, Applicants provide, as requested, a Substitute Declaration and Formal Drawings.

IN THE CLAIMS:

434443.2

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